

A RESOLUTION

BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

02-R-1531

**A RESOLUTION AUTHORIZING THE  
SETTLEMENT OF THE CLAIM OF NELSON  
VAN BROOKINGS IN THE AMOUNT OF  
\$361.53 AGAINST THE CITY OF ATLANTA  
AND FOR OTHER PURPOSES**

**WHEREAS**, NELSON VAN BROOKINGS, has filed a claim against the City of Atlanta seeking damages to his vehicle; and

**WHEREAS**, the damage to NELSON VAN BROOKINGS' vehicle occurred when he drove over a construction site that was left open and in an unsafe manner; and

**WHEREAS**, the investigation of this claim determined that Creative Pipeline, a subcontractor of United Water Services Atlanta, installed a new fire hydrant at this location prior to Mr. Brookings' incident; and

**WHEREAS**, the claim was forwarded to United Water Services Atlanta for payment, however, United Water Services Atlanta has denied Mr. Brookings' claim and has based the denial on their assertion that they are not responsible for the damages that resulted from the exposed construction site; and

**WHEREAS**, the claimant has asserted damages in the amount of \$361.53 and has agreed to accept this sum in full and complete satisfaction and settlement of his claim against the City of Atlanta; and

**WHEREAS**, the City Attorney has recommended that the claim of NELSON VAN BROOKINGS, be settled for the sum of \$361.53.

**THEREFORE, BE IT RESOLVED** that the Council of the City of Atlanta, Georgia that \$361.53 be paid by the City of Atlanta to NELSON VAN BROOKINGS, in satisfaction of any and all claims she may have stemming from damages sustained to his vehicle on or about October 8, 2001, at Simpson Road, NW & Tazor Street, NW, and that the City Attorney prepare appropriate releases.

**BE IT FURTHER RESOLVED** that the City Attorney be granted the authority to take all necessary action, up to and including the filing of a lawsuit to pursue recovery for the damages caused by the inactions of United Water Services Atlanta.

**BE IT FURTHER RESOLVED** that the Chief Financial Officer is hereby authorized to pay the above mentioned sum from account number 2J01/529017/T31001.

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